



Comptroller General
of the United States

Washington, D.C. 20548

Decision

Matter of: General Physics Corporation--Claim for Costs

File: B-244240.4

Date: July 16, 1991

Dennis R. Bunty for the protester,
C. Douglas McArthur, Esq., and Michael R. Golden, Esq., Office
of the General Counsel, GAO, participated in the preparation
of the decision.

DIGEST

Protester is not entitled to award of the costs of filing and pursuing its protest where agency promptly took corrective action within 1 week of when the protest was filed.

DECISION

General Physics Corporation requests that our Office declare the protester entitled to recover reasonable costs of filing and pursuing its protest, filed on May 29, 1991, against the award of a contract to ManTech Technical Services Corporation under request for proposals (RFP) No. N00612-91-R-7001, issued by the Department of the Navy for training support. On June 5, 1991, within a week of receiving notice of the protest, the agency advised our Office that it was terminating the contract and resoliciting the requirement; as a consequence, we dismissed the protest as academic pursuant to our revised Bid Protest Regulations, 56 Fed. Reg. 3,759 (1991) (to be codified at 4 C.F.R. § 21.3(m)).

On June 28, the protester filed a claim with our Office under section 21.6(e) of our revised regulations, for the costs of filing and pursuing the protest. A protester is not entitled to such costs where an agency, as here, takes prompt corrective action in response to a protest. Oklahoma Indian Corp., B-243785.2, June 10, 1991, 91-1 CPD ¶ ____.

The request for award of costs is denied.


Robert M. Strong
Associate General Counsel